

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,

:
Plaintiff,

:
vs.

ANTON HURSTON,

:
Case No. 3:17cr30

:
JUDGE WALTER H. RICE

:
Defendant.

DECISION AND ENTRY OVERRULING DEFENDANT'S
MOTION TO REVOKE DETENTION ORDER

Defendant has entered a plea of guilty to one charge of possession of a firearm by a previously convicted felon, and is currently awaiting sentence. His requested release from the detention order directed by the United States Magistrate Judge is governed by Title 18 United States Code §3143 Subsection a, which sets forth in pertinent part:

“. . . the judicial officer shall order that a person who has been found guilty of an offense and who is awaiting imposition . . . of sentence. . . , be detained, unless the judicial officer finds by clear and convincing evidence that the person is not likely to flee or pose a danger to the safety of any other person or the community if released. . . .”

Based upon the Report from the United States Pretrial Services Office, setting forth a lengthy criminal record, numerous failures on supervision and numerous failures to appear to face then-pending charges, and, not least of all, the fact that Defendant admitted at the time of his plea that law enforcement, upon the execution of a search warrant, found inside Defendant's home a Remington 87 pump action shotgun, a J.C. Higgins .22 bolt action rifle, and a Lorcin .380 caliber handgun, this Court cannot make the finding necessary for relief from detention order that, by

clear and convincing evidence, this Defendant is not likely to flee or pose a danger to the safety of any other person or the community if released from detention. Accordingly, the Defendant's Motion to Revoke Detention Order is OVERRULED, and the Defendant will be detained, without bond, pending sentencing.



WALTER H. RICE
UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of record